

08 CLAIM 050

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA)

v.)

ROSELYN A. ADEYEYE)

Cr. No. 07- -01-

INDICTMENT

The Grand Jury charges:

COUNT 1

FALSE STATEMENTS

[18 U.S.C. § 1001(a)(2)]

AT ALL TIMES MATERIAL TO COUNT ONE OF THIS INDICTMENT:

1. The "National Passport Center" is a facility operated by the United States Department of State, Bureau of Consular Affairs, for the filing, processing and adjudication of Applications for United States Passports (forms DS-11 and DS-82). This facility is located at 31 Rochester Avenue, Portsmouth, New Hampshire.

2. Title 22, United States Code, Section 213 and Title 22, Code of Federal Regulations, Section 51.20 require a passport applicant to provide truthful information on a passport application that is material and pertinent to the applicant's eligibility to receive a passport. This requirement includes all information and evidence submitted in support of the application.

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JAMES R. STARR, CLERK

BY: *[Signature]*

DEPUTY CLERK

3. Under Title 22, United States Code, Section 212 and Title 22, Code of Federal Regulations, Section 51.2, a United States passport may be issued only to a person owing allegiance to the United States. Only a United States citizen or a United States national, that is, an inhabitant of a United States possession, is eligible to receive a United States passport.

4. At all times relevant to the charge in this indictment, defendant, **ROSELYN A. ADEYEYE**, was neither a citizen nor a national of the United States.

THE FALSE STATEMENTS

5. In and around May 2003, in the District of New Hampshire and elsewhere, the defendant,

ROSELYN A. ADEYEYE,

in a matter within the jurisdiction of the United States Department of State, an agency of the executive branch of the Government of the United States, knowingly and willfully made materially false, fictitious and fraudulent statements and representations in connection with an Application for U.S. Passport by Mail (Form DS-82). On or about May 15, 2003, the defendant executed an Application for U.S. Passport by Mail (Form DS-82), which was received at the National Passport Center on or about May 27, 2003. The defendant falsely stated that she was born in the United States, in violation of Title 18, United States Code, Section 1001(a)(2).

A TRUE BILL

/s/ Grand Jury Foreperson
Foreperson of the Grand Jury

THOMAS P. COLANTUONO
United States Attorney

/s/ Alfred Rubega
Alfred Rubega
Assistant U.S. Attorney
53 Pleasant Street
Concord, N.H. 03301-3904
(603) 225-1552

Dated: January 17, 2007

**U.S. District Court
District of New Hampshire (Concord)
CRIMINAL DOCKET FOR CASE #: 1:07-cr-00030-PB All Defendants
Internal Use Only**

Case title: USA v. Adeyeye

Date Filed: 01/24/2007

Date Terminated: 01/03/2008

Assigned to: Judge Paul J. Barbadoro

Defendant

Roselyn A. Adeyeye (1)
TERMINATED: 01/03/2008

represented by **Mark E. Howard**
Kacavas Ramsdell & Howard PLLC
1850 Elm St, Ste 6
Manchester, NH 03104
603 625-1254
Email: mhoward@krhlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

18:1001(a)(2) False Statements
(1)

Disposition**Highest Offense Level (Opening)**

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

None

Disposition**Plaintiff**

USA

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JAMES R. STARR, CLERK
















By 
DEPUTY CLERK

represented by **Alfred J.T. Rubega**
US Attorney's Office (NH)
53 Pleasant St, 4th Flr
Concord, NH 03301-0001
603 225-1552

Email: alfred.rubega@usdoj.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/24/2007	 1	SEALED INDICTMENT as to Roselyn A. Adeyeye (1) count(s) 1. <i>Original document available in clerks office.</i> (jar,) (Entered: 01/26/2007)
01/24/2007	 2	MOTION to Seal Case at Level II until defendant is taken into custody by USA as to Roselyn A. Adeyeye (jar,) (Entered: 01/26/2007)
01/24/2007		ENDORSED ORDER granting 2 Motion to Seal Case at Level II as to Roselyn A. Adeyeye (1). Text of Order: Granted So Ordered by Judge Joseph A. DiClerico Jr. (jar,) (Entered: 01/26/2007)
01/24/2007	 3	Praecipe for Warrant by USA as to Roselyn A. Adeyeye. (jar,) (Entered: 01/26/2007)
01/25/2007		Arrest Warrant Issued as to Roselyn A. Adeyeye. Original warrant and copies to US Marshal and US Probation. (jar,) (Entered: 01/26/2007)
04/23/2007		Arrest of Roselyn A. Adeyeye in Southern District of New York. (jar,) (Entered: 05/01/2007)
04/23/2007		Case unsealed as to Roselyn A. Adeyeye. NOTICE to Attorneys of Record: The case has been unsealed. All future pleadings shall be filed in accordance with this district's Administrative Procedures for Electronic Case Filing. (jar,) (Entered: 05/09/2007)
04/30/2007	 4	Removal Documents Received from Southern District of New York as to Roselyn A. Adeyeye. (Attachments: # 1 Docket Sheets, # 2 Rule 5(c)(3) Affidavit, # 3 Order Appointing Counsel, # 4 Notice of Appearance, # 5 Disposition Sheet, # 6 Appearance Bond)(jar,) (Entered: 05/01/2007)
05/03/2007		NOTICE OF HEARING as to Roselyn A. Adeyeye: Arraignment set for 5/29/2007 02:00 PM before Magistrate Judge James R. Muirhead. (amm,) (Entered: 05/03/2007)
05/16/2007	 5	NOTICE OF ATTORNEY APPEARANCE: Mark E. Howard appearing for Roselyn A. Adeyeye. (Howard, Mark) (Entered: 05/16/2007)
05/23/2007	 6	Assented to MOTION to Waive Arraignment by Roselyn A. Adeyeye. Certain exhibit (s) maintained conventionally in Clerks Office. (Howard, Mark) (Entered: 05/23/2007)
05/23/2007		ENDORSED ORDER granting 6 Assented to MOTION to Waive Arraignment as to Roselyn A. Adeyeye (1). Text of Order: Granted. So Ordered. So Ordered by Judge James R. Muirhead. (amm) (Entered: 05/23/2007)
05/23/2007	 7	WAIVER of Personal Appearance at Arraignment and Entry of Plea of Not Guilty by Roselyn A. Adeyeye. (jar) (Entered: 05/25/2007)
05/24/2007		ENDORSED ORDER as to Roselyn A. Adeyeye RE 7 Waiver of Presence at Arraignment. Text of Order: Waiver approved So Ordered by Judge James R. Muirhead. (jar) (Entered: 05/25/2007)
05/25/2007		TRIAL NOTICE: Jury Selection/Trial set for two week period beginning 7/10/2007 09:30 AM before Judge Paul J. Barbadoro. Final Pretrial Conference set for 6/26/2007 02:30 PM before Judge Paul J. Barbadoro. (jar) (Entered: 05/25/2007)

06/25/2007	<u>8</u>	Assented to MOTION to Continue Trial for 60 days (Waiver of Speedy Trial to be filed conventionally) by Roselyn A. Adeyeye.Miscellaneous Deadline set for 7/9/2007. (Howard, Mark) (Entered: 06/25/2007)
06/25/2007	<u>9</u>	ORDER granting 8 Motion to Continue Trial in the interest of justice as to Roselyn A. Adeyeye (1). So Ordered by Judge Paul J. Barbadoro. Final Pretrial Conference set for 8/29/2007 03:30 PM before Judge Paul J. Barbadoro.,Jury Selection/Trial set for two week period beginning 9/5/2007 09:30 AM before Judge Paul J. Barbadoro. (jar) (Entered: 06/26/2007)
07/03/2007	<u>10</u>	WAIVER of Speedy Trial by Roselyn A. Adeyeye. (jar) (Entered: 07/03/2007)
08/27/2007	<u>11</u>	Assented to MOTION to Continue Trial for 60 days (Waiver of Speedy Trial to be filed conventionally) by Roselyn A. Adeyeye.Miscellaneous Deadline set for 9/10/2007. (Howard, Mark) (Entered: 08/27/2007)
08/28/2007	<u>12</u>	ORDER granting 11 Motion to Continue Trial in the interest of justice as to Roselyn A. Adeyeye (1). So Ordered by Judge Paul J. Barbadoro. Final Pretrial Conference set for 10/24/2007 04:30 PM before Judge Paul J. Barbadoro. Jury Selection/Trial set for two week period beginning 11/6/2007 09:30 AM before Judge Paul J. Barbadoro. (jar) (Entered: 08/29/2007)
09/05/2007	<u>13</u>	WAIVER of Speedy Trial by Roselyn A. Adeyeye. (jar) (Entered: 09/05/2007)
10/05/2007	<u>14</u>	NOTICE of Change of Address by Mark E. Howard as to Roselyn A. Adeyeye to Mark E. Howard, Esquire, Kacavas Ramsdell & Howard, PLLC, 1850 Elm Street, Suite 6, Manchester, NH 03104. (Howard, Mark) (Entered: 10/05/2007)
10/24/2007	<u>15</u>	Assented to MOTION to Continue Trial for 60 days (Waiver of Speedy Trial to be filed conventionally) by Roselyn A. Adeyeye.Miscellaneous Deadline set for 11/5/2007. (Howard, Mark) (Entered: 10/24/2007)
10/24/2007	<u>16</u>	ORDER granting 15 Motion to Continue Trial in the interest of justice as to Roselyn A. Adeyeye (1). So Ordered by Judge Paul J. Barbadoro. Final Pretrial Conference set for 12/17/2007 04:30 PM before Judge Paul J. Barbadoro. Jury Selection/Trial set for two week period beginning 1/8/2008 09:30 AM before Judge Paul J. Barbadoro. Miscellaneous Deadline set for 11/2/2007. (jar) (Entered: 10/25/2007)
11/02/2007	<u>17</u>	WAIVER of Speedy Trial by Roselyn A. Adeyeye. (jar) (Entered: 11/06/2007)
12/11/2007	<u>18</u>	MOTION to Change Venue <i>Pursuant to Fed. R. Crim. Pro. 21(b)</i> by Roselyn A. Adeyeye. Follow up on Objection on 12/31/2007. (Howard, Mark) (Entered: 12/11/2007)
12/17/2007	<u>19</u>	Minute Entry for proceedings held before Judge Paul J. Barbadoro : FINAL PRETRIAL CONFERENCE as to Roselyn A. Adeyeye held on 12/17/2007. (Total Hearing Time: 5 mins)(CJA Time: 5mins) (jar) (Entered: 12/18/2007)
12/21/2007	<u>19</u>	RESPONSE to Motion by USA as to Roselyn A. Adeyeye re <u>18</u> MOTION to Change Venue <i>Pursuant to Fed. R. Crim. Pro. 21(b)</i> . (Rubega, Alfred) (Entered: 12/21/2007)
12/30/2007	<u>20</u>	ENDORSED ORDER granting 18 Motion for Change of Venue as to Roselyn A. Adeyeye (1). Text of Order: Granted So Ordered by Judge Paul J. Barbadoro. (jar) (Entered: 01/02/2008)
01/03/2008	<u>20</u>	Letter to Clerk's Office - USDC-SDNY from Deputy Clerk re: transferring certified copies of documents (jar) (Entered: 01/03/2008)

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE
WARREN B. RUDMAN U.S. COURTHOUSE
55 PLEASANT STREET, ROOM 110
CONCORD, NEW HAMPSHIRE 03301-3941

OFFICE OF THE CLERK

James R. Starr
Clerk of Court

Telephone
603-225-1423

January 3, 2008

Clerk's Office
U.S. District Court
500 Pearl Street, Room 520
New York, NY 1007

Re: NH Case No.: Criminal No. 07-cr-30-01-PB, USA v. Roselyn A. Adeyey

The above case has been transferred to your jurisdiction pursuant to Judge Barbadoro's endorsed order granting defendant's motion for change of venue.

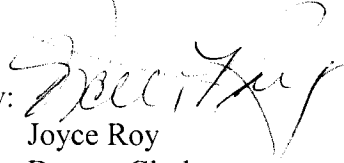
We enclose the following items:

certified copy of the docket sheet
certified copies of file documents

Please acknowledge receipt on the copy of this letter provided and return in the reply envelope enclosed.

Very truly yours,

James R. Starr, Clerk

By: 
Joyce Roy
Deputy Clerk

Enclosures

cc: Alfred Rubega, Esq.
Mark Howard, Esq.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA

vs.

ROSELYN A. ADEYEYE

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JAMES R. STARR, CLERK

BY

DEPUTY CLERK

CR. NO. 07-30-01-PB

UNITED STATES' NOTICE OF ASSENT

Now comes the United States, and gives notice that it assents to the granting of the defendant's Motion to Transfer Venue Pursuant to Fed. R. Crim. P. 21(b), dated December 11, 2007.

Respectfully submitted,
THOMAS P. COLANTUONO
United States Attorney

Date: December 21, 2007

By: /s/ Alfred Rubega
Alfred Rubega
Assistant U.S. Attorney
NH Bar #2211
55 Pleasant Street, Rm. 352
Concord, NH 03301
603-225-1552

Certificate of Service

I hereby certify that a copy of the foregoing memorandum of law was forwarded this date to Mark Howard, counsel for the defendant.

Date: December 21, 2007

By: /s/ Alfred Rubega
Alfred Rubega
Assistant U.S. Attorney